

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 Barry Harris,

Case No. 2:22-cv-02161-GMN-EJY

4 Plaintiff,

5 v.

6 C/O Clay, *et al.*,

7 Defendants.

8

9 **ORDER**

10 On December 27, 2022, Plaintiff submitted an incomplete application to proceed *in forma*  
11 *pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1.  
12 Plaintiff’s IFP application failed to include his inmate trust fund account statement for the previous  
13 six-month period. Even if Plaintiff has not been at the Nevada Department of Corrections facility a  
14 full six-month period, Plaintiff must still submit a financial statement and an inmate account  
statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

15 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma*  
16 *pauperis* (ECF No. 1) is DENIED without prejudice.

17 IT IS FURTHER ORDERED that on or before **March 6, 2023**, Plaintiff must either pay the  
18 \$402 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed *in***  
19 ***Forma Pauperis* for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly  
20 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail**  
21 **trust fund account statement for the previous six-month period**.

22 IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete  
23 application to proceed *in forma pauperis* on or before **March 6, 2023**, will result in a  
24 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows  
25 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with  
26 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

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1 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),  
2 but will not file it at this time.

3 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved  
4 form application to proceed *in forma pauperis* for inmate along with the information and instructions  
5 for filing the same.

6 DATED this 6th day of February, 2023.

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8 ELAYNA J. YOUCAH  
9 UNITED STATES MAGISTRATE JUDGE  
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